



STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

*File*

Scott M. Matheson, Governor  
Temple A. Reynolds, Executive Director  
Dianne R. Nielson, Ph.D., Division Director

424 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

0012

April 5, 1984

NO. P 402 456 494  
CERTIFIED RETURN RECEIPT REQUESTED

Mr. Wendell J. Owen  
Co-op Mining Company  
P. O. Box 1245  
Huntington, Utah 84528

RE: Proposed and Finalized  
Amended Assessment C83-1-2-1  
ACT/015/025, Folder #8  
Emery County, Utah

Dear Mr. Owen:

Consider this letter and the enclosures to be the amended proposed and finalized assessment for the above-cited cessation order (CO). It appears that my March 30, 1984 letter and enclosures incorrectly cited the issue date and termination date for this cessation order. I apologize for the inconvenience which this may have caused you. In the way of explanation, I offer the following chronology of events on this cessation order.

<u>DATE</u>	<u>ACTION</u>
August 22, 1983 (CO dated August 23, 1983)	Division CO and letter (enclosed) mailed to Co-op Mining for failure to abate N83-5-2-2. Although sent by registered mail, the receipt date is uncertain.
August 25, 1983	Co-op Mining Company submitted, by mail, the necessary material to abate N83-5-2-2, 2 of 2. Division receipt date was August 29, 1983.
September 12, 1983	Division letter to Co-op Mining Company states that the material included in the August 25, 1983 submittal was complete and adequate to abate N83-5-2-2, 2 of 2.

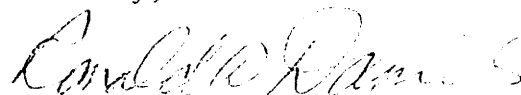
As you know, I am no longer acting as the Division and Board Assessment Officer, but it is within my presently-assigned duties to close out any NOV's or CO's on which I previously made assessment determinations. I am exercising that responsibility in this case.

Mr. Wendell Owen  
ACT/015/025  
April 5, 1984  
page 2

It appears that the Division's CO No. C83-1-2-1 issued for a failure to abate N83-5-2-2, 2 of 2, and your information to abate N83-5-2-2, 2 of 2 crossed in the mail. I hereby make the enclosed amended assessment and, through copy of this letter to Joe Helfrich, direct him to take the necessary action to close out through vacation, CO C83-1-2-1.

Please contact me, or Joe Helfrich, if you have any questions on this action.

Sincerely,



Ronald W. Daniels  
Acting Assessment Officer

RWD:re  
82770

cc: Jodie Merriman, OSM  
Barbara Roberts, Attorney  
Joe Helfrich, DOGM

Enclosures

AMENDED PROPOSED AND FINALIZED ASSESSMENT  
Utah Division of Oil, Gas & Mining  
4241 State Office Building  
Salt Lake City, Utah 84114

CO No. 83-1-2-1

Location of Hearing: Salt Lake City, Utah

Date of Hearing: October 27, 1983

Company Name/Mine Name: Co-op Mining Company/Bear Creek Canyon Mine

Persons in Attendance

Representing

See Hearing Transcript

Violation No.

Amount of Assessment  
As Revised

C83-1-2-1

\$ 00.00

CO vacated

Refer to Division letter dated April 5, 1984 for complete explanation of the reason for vacation. The materials submitted by the operator to abate N83-5-2-2, 2 of 2 and the Cessation order C83-1-2-1 issued for failure to abate N83-5-2-2, 2 of 2 crossed in the mail. No penalty is assessed and the CO is vacated.

Approved:

*Conall W. Daniels*  
(Signature of Conference Officer)

Date: April 5, 1984

This assessment has been set as a result of an informal conference held by the assessment officer. Should the Company desire a review in a more formal proceeding before the Board of Oil, Gas & Mining, a hearing can be requested within 15 days of receipt of this report.

AMENDED PROPOSED AND FINALIZED ASSESSMENT  
(continued)1. Notice of Cessation Order No. C83-1-2-1Violation 1 of 1(a) Nature of violation: Failure to abate N83-5-2-2, 2 of 2(b) Date of termination: N/A

2. Conference Result	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(a) History/Prev. Vio.	<u>                    </u>	<u>                    </u>
(b) Seriousness		
(1) Probability of Occurrence	<u>                    </u>	<u>                    </u>
Extent of Damage	<u>                    </u>	<u>                    </u>
(2) Obstr. to Enforcement	<u>                    </u>	<u>                    </u>
(c) Negligence	<u>                    </u>	<u>                    </u>
(d) Good Faith	<u>                    </u>	<u>                    </u>
(e) Acreage	<u>                    </u>	<u>                    </u>
TOTAL	<u>4,500</u>	<u>00.00 vacated</u>

## 3. Narrative:

(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

See page 1 of 2 for an explanation.



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4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

Scott M. Matheson, Governor  
Temple A. Reynolds, Executive Director  
Dr. G. A. (Jim) Shirazi, Division Director

August 22, 1983

# 996 858

REGISTERED RETURN RECEIPT REQUESTED

Wendell Owen  
Co-op Mining Company  
P. O. Box 1245  
Huntington, Utah 84528


RE: N83-5-2-2  
Abatement deadline  
Bear Canyon Mine  
ACT/015/025, Folder No. 7  
Emery County, Utah

Dear Mr. Owen:

The 90 day abatement deadline for N83-5-2-2, 2 of 2 expired on August 19, 1983. Pursuant to UCA 40-10-22(1c) please find Cessation Order C83-1-2-1 enclosed.

Please refer to Dave Darby's letter dated August 18, 1983 for the specific deficiencies which must be addressed in order to abate N83-5-2-2, 2 of 2 and thus abate C83-1-2-1.

Sincerely,

  
Joseph C. Helfrich  
Field Supervisor

JCH/JW/jvb

Enclosure

cc: Carl Kingston, Co-op  
Kenneth L. Rothy  
Mel Coonrod, Co-op

STATE OF UTAH  
NATURAL RESOURCES  
Oil and Gas Mining

Scott M. Matheson, Governor  
Temple A. Reynolds, Executive Director  
Dr. G. A. (Jim) Shirazi, Division Director

2241 State Office Building, Salt Lake City, UT 84114 • 801-533-5771

September 12, 1983

Mr. Wendell Owen  
Co-op Mining Company  
P.O. Box 1245  
Huntington, Utah 84528

RE: Completeness Determination  
For NOV N83-5-2-2, #2  
Bear Creek Canyon Mine  
ACT/015/025  
Folder Nos. 3 and 7  
Emery County, Utah

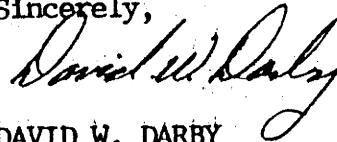
Dear Wendell:

The hydrologic staff has reviewed the material pertaining to NOV 83-5-2-2, #2 in your August 25, 1983 submittal. We have determined the material to be adequate and in compliance with UCA 40-10-18(1), UMC 817.43(a), (b), (c) and UMC 817.45(1).

We are still awaiting for information to process NOV N83-5-5-3, #2 and NOV 83-5-8-3.

If we can be of further assistance, please contact us anytime.

Sincerely,



DAVID W. DARBY  
RECLAMATION HYDROLOGIST

DWD/btb

cc: J. Helfrich, DOGM  
J. Whitehead, DOGM